

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

PHOENIX PAYMENT SYSTEMS, INC.	)
d/b/a ELECTRONIC PAYMENT	)
EXCHANGE,	)
	)
Plaintiff,	)
	)
v.	) C.A. No. 07-537-SLR-LPS
	)
LEXCEL, INC. and	)
LEXCEL SOLUTIONS, INC.,	)
	)
Defendants.	)

**STIPULATION AND [PROPOSED] ORDER**

WHEREAS, the Scheduling Order (D.I. 20) originally provided for initial disclosures to be made by January 4, 2008;

WHEREAS, the parties' stipulation which was entered by the Court, currently provides for initial disclosures to be made by May 6, 2008 (D.I. 33);

WHEREAS, the Scheduling Order (D.I. 20) originally provided for all motions to amend or supplement the pleadings to be filed by May 1, 2008;

WHEREAS, the parties continue to explore settlement possibilities.

Counsel for the parties hereby stipulate and agree, subject to Court approval, to extend the deadline for initial disclosures and motions to amend or supplement the pleadings to and including June 1, 2008;

All other deadlines in the Scheduling Order remain in full force and effect.

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*Attorneys for Defendants  
Lexcel, Inc. and Lexcel Solutions, Inc.*

Dated: April 29, 2008

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
United States District Judge